App F IX 4

Previous References
ML 172-45(6,7,8,9)

1948-49
(ML)

File No 28-48
Serial Nos 5,6,10, 11

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Four P-15-E

Part B for Feb 49

SUBJECT

Purchase of 0-3 guntas of land out of S. No 28 of Swamahalli Village, Bangalore North TK

To The Chairman, G I T B, Bangalore

No L 9423/D 15-2-49

Treats the matter as closed for the present

RBC

7443/4

From the chairman, Bangalore
Trust Board

No J 436/47-48 & 31-5-48

Regrets sanction to the proposal of the Land Acquisition officer of the Trust Board to purchase land to the extent of 0-3 gts out of S No 28 of Sarvanahalli village, Yeswanthpur Hobli measuring with the formation of industrial suburb, Bangalore

1) submitted

Vide declaration statement fly T(A)

It is stated that land to the extent of 1 Acre 4 Lgts out of S No 2 & referred to above was acquired by sale deed dated 18-4-46 The owner of the land is said to have represented that the remaining extent of 0-3 gts out of this S No was not of any use to him and that this may also be acquired by the Trust Board

fly Q)

x fly E)

From this representation the Land Acquisition officer has recommended that

Purchase of Cambrigs No 28
7443/mk - Yeravanthapuram Hobli

the land may be purchased from the family at the rate of Rs 6000/- per acre, as the same rate was awarded for the neighbouring lands also. This proposal to purchase is made in order to avoid the elaborate acquisition proceedings in this respect. There is also provision in the Bangalore Sub-Divisional Act, 1945 to make private purchases, if necessary - vide section 26 of the Act

2) In the above circumstances, a draft for executing the proposal is submitted for approval or other orders

Sd 11/6 Pr 11-6-48

3) May be approved

Sd 14-6-48

4) The file has been submitted to the Rev Secy in person who was [illegible]

Rev Secy

to order to work out the provisions
of the Act and the rules framed thereunder
to find out whether
this private transaction would
secure indefeasible title to
the land

5) In this connection
kind reference is invited to rule
5 of the rules issued as per
GO & 23-6-47- ~~for~~ The
rule reads as follows -

"The attention of all officers
is invited to instructions (1) prescribing
that whenever land is required for any
public purpose, it should be acquired
~~in~~ in conformity with the Mysore
Land Acquisition Act particular
attention of all officers is invited
to the instruction that a notification
under the Regulation is necessary
even in respect of lands, the price
of which has been fixed

X
No comp
R 173-233
R 21-6
GO 23-6-47
Land Acquisition Manual
-page 31

settled by private negotiation, or of land voluntarily offered by the owner to a prospective, as it is only by such notification that an indefeasible right can be acquired."

6) In view of the rule quoted above, it is perhaps desirable to have the land acquired, instead of having it by private purchase, as proposed by the Trust Board A

7) There is also one more point for consideration whether it is necessary to adopt the acquisition proceedings ~~with respect of the land~~ to acquire a part of the land, ~~the extent area of which~~ in respect of which a notification has been published showing its entire area and the area required thereon and whether B

7443/ml 2nd Purchase of certain land by the 5
Bangalore City Improvement Trust Bd

B) the previous notification is not sufficient to take possession of the entire area in question

8) The Revenue Commr may perhaps be consulted on the points referred to at A and B above

9) submitted with reference to para 4 supra

Mr 21/6 Pr Order 10 pl keep up for orders
21/6

11) Submitted with a draft letter as per para 6 supra, in view of the instructions received

Mr 25/6 Pr Order 12) Issued
26/6/57

See Rep. Comm^r ~~Bdr~~ may be ~~addressed~~ as regards points A & B

7443/ml

purchase of certain land by the Bangalore city improvement Trust board

13) Draft put up is for perusal before issue

14) Acquisition proceedings are necessary in such cases in which property is arranged to be purchased through Private negotiation This is necessary to acquire indefeasible right

Recce
Fince & Inds

15) Jt D 17/9

8
29/6
29 6 48

8
21/9

16) Secy
21 9 48

OFFICE OF THE MINISTER
FOR FINANCE & INDUSTRIES
No. 4797
Date 29/6/48

To
The Chairman,
C I T B Bangalore
No L 3333/ml 28-48-6
28-9-48

calls for certain information

for Asst
4/11

re purchase of 3 guntas of 7
7443 ✓ land in M S No 28 of
~~Sankey~~ Swamihalli Village, Bangalore
5342/mt

Letter No 5 374/48-49 & 11-1-49
from the chairman, B T B on
the matter

1) The report is submitted for
perusal with reference
to para 15 / before As
further action is called
for in the matter in view of
what the chairman has
stated, this file
will be retained for the
present, if approved

Sd 24/1
Br 25-1-49

Yes please

Sd 27/1/49

submitted with a draft
letter to the chairman intimating
him about 'A' above

Sd
Br 9/2
9-2-49

Sd
9/2/49

The chairman c/o B B Lok
No L 9423 / HL 28-48-11 d 15-2-49
Statistics orders of the Govt

G No 436/MR-8
Since

OFFICE OF THE CHAIRMAN,
City Improvement Trust Board,
Dated, Bangalore, the 20th May 1948

7443

MUNICIPAL BRANCH

Md 28-48-5

To

Janab Syed Abdul Aleem, B A ,
Secretary to Government,
Revenue Department,
B A N G A L O R E.

Sir,

Subject - Acquisition of S No 28 of Sivanahalli village, Bangalore North Taluk, for Industrial Suburb

I have the honour to state that the Special Land - Acquisition Officer attached to the City Improvement Trust Board, has reported in his No To 259/47-48 dated 13-3-48 that while - taking action for the acquisition of properties for the formation of the Industrial Suburb as per G O No L 11364-L1-172-45-8 dated 18-4-46, the khatedar of S No 28 of Sivanahalli village, Yeswanthapur hobli represented that out of his land measuring 1 Acre 27 Gts an extent of 1 Acre 24 gts , had been notified and acquired, that the remaining extent of 0-3 gts was not of any use to him, that this might also be acquired by the Board - and that he might be paid some reasonable compensation etc It is further reported that it is not worthwhile adopting the regular and elaborate acquisition proceedings in respect of this - tiny bit and that this piece of land might be purchased outright by the Board by virtue of the powers vested in it under Section 26 of the City of Bangalore Improvement Act 1945

This proposal of the Land Acquisition Officer was - approved by the Board at its meeting held on 8-4-1948

The bit of land in question, while it is of no use to the owner, could be made use of by the Board for stocking road material etc , during repairs Further, the party is willing to accept compensation at the rate at which the rest of his land has been acquired

In these circumstances, I request that sanction - of Government may kindly be obtained to the decision of the Board to purchase the three guntas of land left over after acquisition out of S No 28 of Sivanahalli village at the - rate paid for for the rest of the land in the same number and to reserve the area for the use of the Board

A copy of the Special Land Acquisition Officer's report No 259/47-48 dated 13-3-48 together with the application of Thatedar Huchachari in original and a plan showing - the area in question is enclosed for favour of reference

I have the honour to be,
Sir,
Your most obedient servant,

CHAIRMAN

Letter To No 259/47-48 dated 13th March 1948 from the Special Land Acquisition Officer, City Improvement Trust Board, Bangalore to the Chairman, City Improvement Trust Board, Bangalore

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Subject - Acquisition of S No 28 of Sivanahalli village, Bangalore North Taluk for - Industrial Suburb

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Adverting to G O No L 11364-M1 172-45-8 dated 18-4-46, sanctioning the acquisition along with other properties of an - extent of 1 acre and 24 guntas (including Kharab 0-3) out of - S No 28 of Sivanahalli village, Yeswanthapur Hobli, I have the honour to state that the total extent of this S No is 1 Acre -and 27 guntas inclusive of a kharab of 0-3 guntas As already stated above, an extent of 1 acre and 24 guntas inclusive of kharab has been acquired and the party compensated therefor The extent left over out of this Survey Number is therefore only 3 guntas

The Khatedar has now petitioned to me that this small - extent is not of any use to him and that it may also be taken - away by the Board

I have inspected this land The area left over is of an odd shape, as can be seen from the extract of the map of S No 28 enclosed herewith It is true that this small bit can be of no possible use to the petitioner In the circumstances, I recommend that the 3 guntas of land left over in S No 28 may be taken over by the Trust Board

As formal acquisition proceedings would entail an eloborate procedure, hardly commensurate with the size or importance of the property involved, I would suggest that this bit of land be purchased outright by the Board by virtue of powers vested in it - under Section 26 of the City of Bangalore Improvement Act In his petition (which is enclosed herewith) the party has offered his l at Rs 1000/- per acre which is the same rate as was awarded for the neighbouring lands I suggest that this offer may be accepte

Enclosures accompany The favour of early orders is sol cited

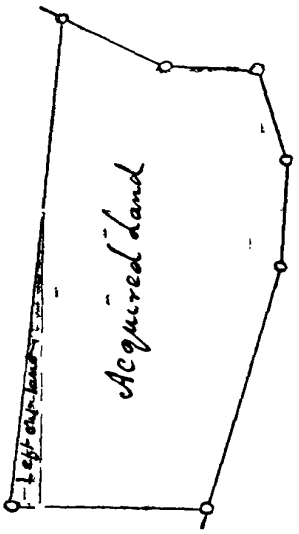
"C O P Y"

C H Narayana Rao
Chairman,
C I Trust Board, Bangalor

Pehr no 4/48

10-3-48

Sketch showing the land left out in S NO 28 [5]
in Suvanahalli Village



Extent acquired for Industrial Suburb { Industrial of kaneb 1-24 0 3 guntas }

Remaining extent 0-3 guntas

4 Chains 6 1'

Special Land Acquisition Off 13/3/48
City Improvement Trust Board
Bangalore

1

G R S App F G 3

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form*)

Two copies
L 3333/ Rd 28-48-b
T.
28/9/48

The chairman,
C J T Board,
Bangalore

Subject – purchase of 0-3 guntas of land out of S No 28 of Siddanahalli Village Bangalore North Taluk &c,

With reference to your letter No G 436/47 & 31-5-48 on the above subject I am directed to invite reference to rule 5 of the rules issued with Go No comp R. 173-233/L R 21-26 & 23-6-2; re the procedure to be followed ~~for~~

WD 03697—GPB—30 000—2 2 40

in respect of the acquisition
of lands - an extract
of which is noted in
the margin for ready
reference - according
to which it is necessary
to issue a notification
under the Land Acquisition
Act in this respect - under
to ~~the~~ Section 6 an indefeasible
right over the land acquisition
same thing for to request-
you to arrange for the land area
being acquired, as per provisions
of the Land Act, in view of the
above rule.

please type here
the rule referred to
under para 5 of
the letter.

In view of the above rule,
same to add that the govt consider that
it is desirable to acquire the land,
as per provisions of the Land Acquisition Act
even though it purchased by negotiations
under agreement by private purchase
Action may therefore be taken
to get the area acquired ~~Emergent~~
~~provisions~~ under the emergent provisions
Emergent provisions of the Act Section 17 of the Land Acquisition Act may be invoked in this respect, to minimise

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L 3333/Rev 28-48-6 General and Revenue Secretariat,

Dated Bangalore 28/9/1948

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
Revenue Department

To

The Chairman,
City Improvement Trust Board,
Bangalore

SIR

SUBJECT Purchase of 0-3 guntas of land out of S No 28 of Sivanahalli village, Bangalore North Taluk

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With reference to your letter No G 436/47 dated 31st May 1948 on the above subject, I am directed to invite reference to rule 5 of the rules issued with Government Order No Camp R 173-233/L R 21-26 dated 23rd June 1927 regarding the procedure to be followed in respect of the acquisition of lands - an extract of which is noted in the margin for ready reference - according to which it is necessary to issue a notification under the Land Acquisition Act in this respect in order to secure an indefeasible right over the land in question

> The attention of all officers is invited to instructions (1) prescribing that whenever land is required for any public purpose, it should be acquired in conformity with the Mysore Land Acquisition Act Particular attention of all officers is invited to the instructions that a notification under the Regulation is necessary even in respect of lands, the price of which has been previously settled by private negotiation or of land voluntarily offered by the owner to a Government Department, as it is only by such notification that an indefeasible right can be acquired"

In view of the above rules, I am to add that the Government considei that it is desirable to acquire the land as per provisions of the Land Acquisition Act, even though its purchase might be effected through private negotiations Action may therefore be kindly taken to get the area acquired Emergent provisions of the Act viz , Section 17 of the Land Acquisition Act may be invoked in this respect, if necessary

Yours faithfully,

For Secretary to Government,
Revenue Department

10

To, L 9423/JRK 28 48-11 15-2-49
The Chairman and C E O
Board, Bangalore

Sir,

With reference to the correspondence ending with your letter No J 374/48-49 of 11-1-49 re the acquisition of Land out of S No 2 of Swamichalli Village, I am directed to state that the subject matter is treated as closed for the present ~~as requested by you~~.

Yours faithfully
for [illegible]
Board Secretary

MF 28-48-10 9

G374/HR-9

OFFICE OF THE CITY IMPROVEMENT TRUST BOARD,
"Kanra Villa", Shadri Road,
Dated, Bangalore, the 11th January 1949

To

The Secretary to Government,
General Department,
Bangalore

Sir,

with reference to your reminder No L 7045 dated 24-12-1948 regarding the purchase of 0-3 guntas of land out of S No 23 of Sivanahalli Village, Bangalore North Taluk, I have the honour to state that your letter under reference contained only certain instructions as to the action to be taken in cases of the kind referred to therein and no report was due to Government

2 The instructions contained therein have been communicated to the Special Land Acquisition Officer of the Trust Board for taking action to acquire the 0-3 guntas of land in question

3 This matter may therefore be treated as closed

Yours faithfully,

CR Narasimha